

JAMES KOUSOUROS
ATTORNEY AT LAW

JAMES KOUSOUROS
FOUNDER & PRINCIPAL

260 Madison Avenue, 22nd floor • New York, NY 10016
212•532•1934 / 212•532•1939 fax
E-mail: James@kousouroslaw.com

EMMA J. COLE
LEGAL ASSISTANT

April 30, 2025

By ECF

Hon. Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Caputo, et al.*, S1 20 Cr. 645 (PAE)

Dear Judge Engelmayer:

This letter is respectfully submitted to seek an Order granting early termination of supervised release for Thomas Caputo.

On February 4, 2022, the Court sentenced Mr. Caputo to 8 months imprisonment and three years of supervised release with the first six months of supervised release on home confinement. *See* D.E. 148. Mr. Caputo has served his sentence and has been on supervised release since on or about November 1, 2022. Mr. Caputo has complied with all conditions of his release and both restitution and forfeiture have been satisfied.

As the Court is aware, early termination of post-conviction supervision is controlled by statute, sentencing law and policy (18 U.S.C. §§ 3564(C), 3583(e)(1) and 3553(a)). Pursuant to 18 U.S.C. § 3583(e)(1), the Court may, after considering the factors set forth in 18 U.S.C. §§ 3553(a)(1), (a)(2)(b), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.

While an individual on supervised release is not entitled to early termination based upon successfully completing a portion of it, § 3583 supports early termination if such a result is in the interests of justice. This view is consistent with the policy of the Judicial Conference Criminal Law Committee and the Administrative Office of the United States Courts which has endorsed non-binding criteria for assessing whether a person under supervision should be recommended for early termination. Also pursuant to the Guide to Judiciary Policy, Volume 8, Part E, § 360.20 Early Termination, at 18 months there is a presumption in favor of recommending early termination for those who meet substantially similar criteria.

Mr. Caputo has served over 24 months of supervised release and has been in full compliance with all conditions imposed by this Court. He has reintegrated into his community and while he is retired, he spends his time with his family and taking care of his home. He has no history of violence, no recent arrests or convictions, and poses no risk to the community or a risk of recidivism. He would like the freedom to travel to visit his grandchildren in Florida and to seek odd jobs to keep himself busy. We respectfully submit that as he has satisfied the above criteria and has satisfied all financial obligations imposed, early termination is appropriate.

We have conferred with Supervisory United States Probation Officer Lisa Famularo who advised that Mr. Caputo “meets the criteria for early termination and has paid all his court-ordered obligations.” The Government has no objection to this request.

Based upon the foregoing, request is respectfully made that Mr. Caputo be granted early termination of supervised release.

Thank you for your courtesy and consideration.

Respectfully submitted,

/s/ James Kousouros
James Kousouros, Esq.
Counsel for Mr. Caputo

c.c.

Paul Monteleoni
Assistant United States Attorney

Lisa Famularo
Supervisory United States Officer Lisa Famularo

GRANTED. The Clerk of Court is requested to terminate the motion at Dkt. No. 189.

6/26/2025

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge